IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF SOUTH DAKOTA

IN RE:) Bankr. No. 10-40498) Chapter 7
AARON RICHARD BOE)
SSN/ITIN XXX-XX-0047)
and)
WENDY ANITA BOE))
SSN/ITIN XXX-XX-3332,)
) Adversary No. 10-4034
Debtors.)
LEE ANN PIERCE, TRUSTEE) ANSWER TO COMPLAINT TO) DETERMINE VALIDITY OF LIEN
Plaintiff)
-vs-)
SIOUX FALLS FEDERAL CREDIT))
UNION	<i>)</i>
Defendant.)

Comes now the Defendant Sioux Falls Federal Credit Union, by and through undersigned counsel, and for its Answer, states and alleges as follows:

- 1. Plaintiff's Complaint fails to state a claim upon which relief may be properly granted.
- 2. Defendant denies each and every allegation, matter and claim of Plaintiff, except for those matters which are herein specifically admitted or qualified herein and remits Plaintiff to strict proof thereof.
- 3. Upon information and belief and with the reservation that any admissions or denials herein may be withdrawn or modified in the event further acts presently unknown to Defendant are discovered, Defendant admits Paragraphs 1, 2, 3, 4, 5 and 6 of the Plaintiff's Complaint.
- 4. That Defendant Sioux Falls Federal Credit Union's lien has appeared on the face of the title to Debtor's 2008 Dodge Nitro since the title was first issued to Debtor Aaron R. Boe on December 16, 2009, as appears from the Certificate of Title attached hereto as Exhibit A, one hundred seventy-seven days prior to the Debtor's Chapter 7 filing in this matter.
- 5. That South Dakota law, at SDCL 32-3-41 provides that "A security interest, ...if a notation of same has been made...on the face thereof...shall be valid against the creditors of the debtor...and other lien holders or claimants..."

WHEREFORE, Defendant Sioux Falls Federal Credit Union respectfully prays for judgment as follows:

- 1. That Plaintiff's Complaint be dismissed upon the merits and with prejudice;
- 2. That Defendant be awarded all of its costs and disbursements in this action, including reasonable attorney's fees; and
 - 3. For such other and further relief as the Court deems appropriate.

Dated at Sioux Falls, South Dakota this 8th day of September, 2010.

MYERS & BILLION, LLP

James R. Myers, P.C.

Attorneys for Defendant 300 N. Dakota Ave., Suite 510

P.O. Box 1085

Sioux Falls, SD 57101-1085

Document: 25 Filed: 09/09/10

OFTH DAKOTA CERTIFICATE OF THE

EXHIBIT

vehicle

TITLE SO 093450072

11117 WSD TO ME. 12/16/2009

transfer

PREIRIC ST YEE PRAND

TAX TIMESIM 314.63

Period CC 4051

YEAR ALSE 2008 DODGE

LHRIM HITFO IX AIV. SUV

VEHICLE IDENTIFICATION STREET 1D8@158K98W145328

MAIL TO, AARON R BOE

> 1205 E 62MD STREET STOUX FALLS SD 57108

ODUMETER.

33552

ACTUAL

探心的

DANER(S)

AARON R BDE

OWNER ADDRESS: 1205 E 62MD STREET STOUX FALLS 3D 57108

FRS1 LENHOLDER

SIOW FALLS FEDERAL CREDIT USION

PO BOX 5735

STOUX FALLS SD 57117-5735

NOTED BY

TELESSED RY

COLUMN THE HIS MER

200 Ap

SECTION LIEUWOLDER

No. CELLON

rflêased by

4DUT)

COLDETT TOP ASSETS

(1975)



THE TERRETEINS OF EXPENSES AND NEVER TOOK BEING BEINGTH SANCING LAND CORRECT
TERRORS, RANGE NEWSON IN THE SENCE SHOULD BE THE SPITCH AND ONE FREE OF THE
REQUESTY REPREST TO SANT LOW AND SECTEMBERS SETTING AND THE SANCING BEING BEING
PROCEED TROUBLES TO TERRED OF METERS PROPRIED AND SOCIET BEINGE BEING
AND ADMITTER TO METERS BEGINST NOW TO THE DEPOSITION OF RECEIVED AND THE SECRETARY AND

SECRETARY. DEPARTMENT OF REVENUE AND RECULATION

10320 091216 133035

омпана D541921

Case:	10-40498 Document:	25 Eiled: 09/09/10 P	OCA OF STREET, CONTINUE THAT THE PARTY AND T
20. 100 Part 10. 10		**************************************	
the state of the s	policie de mand (ex. 1)4 feet, en 'tyligh all helmings. Specie is représ to loss fluir I plant an loss in 1800 payers (1800 fluir)		The state of the s
TOW CLOSE		SA, WALL CONTINUES, MARKE	;= t-1 F. 5 t-4
Control Location			
1500 Kerned	Transact Color	Add 7 20 000	's Limage He pr Small Stocks Hig.
1005 E 1004	a South	NOTE (IC A)	Za (***)
10万世の 1 miles 1 mi		Obj.	
I was a second			Za Code
Security Name		Activities.	Landonia Cada
5 7	5		Leaves pas project to be made to be any
COOKSTER: Convolute it senicle is send making take them. Counties research a Cookster parkets where a cookster research was of the topset and the topset an	lease theat 10 years, old. HE000 parada GVWR. Delenance, when a second to live to leave to the second to leave to the second to	E. Complete d'ambigiation in loss fair just des 15.000 pour de GVEST. - Just Leu:	Military strates economics while I
The second secon	- Page 1	property for the total and designed stores there is	Desirate Street Street Street of several street
The state of the s		1204	Many and with the house
No service wo streets as comme there are	S PROMETY OF BOTH PROMETY LAM, THE WE	CHAPTE AND A SINE MO ACCOME.	(# # CTYSE LATORA SO SOME BANKS BINDERS
8 ARRON BOE		And	w Se
SALESTE OF BEALDOCKER			
		58 <u>- 1</u>	ALCONOMIC AND THE PROPERTY OF
· · · · · · · · · · · · · · · · · · ·			3 3 3 49
	grant Appen	POWERS AMERIE	Contraction of the second
TRANSPER COMMENTER COMMENT	A.P.P.P.B.D. Do - Thighwall yough rephilip to earling general year of publish general tell gas house (in years) or believelby gashe Frederick gashes been for	BORNES PARICIES	Control of Marie (Control of Marie M
TREPOSESSION - Seeps Lond	A. (Chillips) A. (Ch	The prompted of the same of th	mannen mer alle die heine des abengen generalen er eine geben der generalen generalen generalen der des der
TRANSPER DOWN STATE OF THE PARTY OF THE PART	A. (Chillips) A. (Ch	Paris note to 4 Total notes to 4 A Value of the Constitution of	mannen mer alle die heine des abengen generalen er eine geben der generalen generalen generalen der des der
TRANSPER DOMESTICH of the Committee of t	A. P. S. Saland plant working in earling protect year of applied to the saland protect year of any part of any par	Paris note in 4 Refer note in 4 A 1600 A, Charles a line, I-land. Supply (1617), Spin	Miles and making the special and the state of the state o
TRANSPER DOCK S LOS	ALCARDO D. Bergeral parts replain is along parted part of D. Bergeral parts bare for a bergeral or beginning distribution of the bare of parts bare per il his parted of the set of conservables bares, or D.	Paris note in 4 Refer note in 4 A 1600 A, Charles a line, I-land. Supply (1617), Spin	Miles of the property the
TRANSPER DOWN & WAR AND THE PROPERTY OF THE PR	A MARIAN In a Triggered plane replaint is earling person and or probably garded and purpose that the party is required our plane are plane for a triggered of the party person of triggered or triggered of triggered or triggere	Paris note in 4 Refer note in 4 A 1600 A, Charles a line, I-land. Supply (1617), Spin	Miles and making the special and the state of the state o
TRANSPER DOMESTICH OF THE PROPERTY OF THE PROP	A. P. S. Saland plant working in earling protect year of applied to the saland protect year of any part of any par	Randon makes to 4 Randon makes to 4 S.D. Diversity S.D. Diversity S.D. Diversity	Miles of the property the
Description of Leaders Opening Control of C	A MARIAN In a Triggered plane replaint is earling person and or probably garded and purpose that the party is required our plane are plane for a triggered of the party person of triggered or triggered of triggered or triggere	Parlin mode in 4 The first of	We get any regard care to appropriate the pattern and register that the pattern and register that the pattern and register that the pattern are the pattern and the pattern an
TRANSPER Design	A MARIAN In a Triggered plane replaint is earling person and or probably garded and purpose that the party is required our plane are plane for a triggered of the party person of triggered or triggered of triggered or triggere	Parks with the 4 A Marie and the 4 SD Dave SD Dave SD Dave Address Address	May be an input of the first that the state of the state
Description of Landson Landson Appears	A PARAMED A STATE OF THE PARAMETER AND A STAT	SD Door SD DOO	Manager and and by Hood or Count out Implement that make and and the Hood or Count out Implement in Licenses Pro. or Second Second Pro. Licenses Pro. or Second Second Pro. 20 Count. 20 Count. Licenses Pro. or Second Second Pro. Licenses Pro. or Second Second Pro. 20 Count. 20 Count. Licenses Pro. or Second Second Pro. Licenses Pro. or Second Second Pro. 20 Count. 20 Count. Licenses Pro. or Second Second Pro. 20 Count. 20 Count.
Company Aleger Lyman & Aleger	Type of Cores Type o	SO Done SO	License Ho. or Second Secondary Ho. License Ho. License Ho. or Second Secondary Ho.
Comment and a second state of the first and and and and and and a second state of the first and	Type of Cores DAMAGE DAMAGE Type of Cores Type	Comprising it weight between GYMK. So Done Comprising it weight between its hore the lease than 16,000 potential GYMK.	License Ho. or Second Secondary Ho. License Ho. License Ho. or Second Secondary Ho.
CANADA STATE OF THE COMPLETE OF THE STATE OF	A COMMAND The control party reports to early protect as a protect as a protect as a party of the control party of	Address Add	Types old, and velvin week to make
Comment and a second state of the first and and and and and and a second state of the first and	A MARIA DO This was a series of the series protect and or series protect and or series of the serie	Address of the second of the s	Types old, and velvin week to make
CANADA STATE OF THE COMPLETE OF THE STATE OF	Type of Dures Type o	Address of the second of the address of the second of the	Types old, and velvin week to make
Comment of the second of the s	Type of Cores Type o	Action wise to a So Described the second service of the second sec	The state of the part of the state of the st
Comment of the property of the	Type of Cores Type o	The country of the analysis of the country of the c	The state of the s
TRANSPER JAMES COMMANDER JAMES COMMANDER Description of the command of the com	Type of Cores Type o	Address Add	The state of the part of the state of the st
Comment of the property of the	AND AND DESCRIPTION OF THE PROPERTY OF THE PRO	Action with the second process of the second party of the second p	The state of the s

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF SOUTH DAKOTA

IN RE:) Bankr. No. 10-40498) Chapter 7
AARON RICHARD BOE)
SSN/ITIN XXX-XX-0047)
and)
WENDY ANITA BOE))
SSN/ITIN XXX-XX-3332,)
Debtors.) Adversary No. 10-4034
LEE ANN PIERCE, TRUSTEE) CERTIFICATE OF SERVICE
Plaintiff)
-vs-)
SIOUX FALLS FEDERAL CREDIT)
UNION)
Defendant.)

The undersigned hereby certifies that a true and correct copy of the **ANSWER TO COMPLAINT TO DETERMINE VALIDITY OF LIEN** in the above-entitled action was served upon the following persons on the 9th day of September, 2010:

Lee Ann Pierce

Chapter 7 Bankruptcy Trustee

PO Box 524

Brookings, SD 57006-0524

Wendy Anita Boe

1205 E. 62nd St.

Sioux Falls, SD 57108-4764

Laura L. Kulm Ask

Bruce J. Gehring

314 S. Main, Ste 303

Sioux Falls, SD 57101-0966

Sioux Falls, SD 57101-0966

Bruce J. Gehring

314 S. Main, Ste 303

Sioux Falls, SD 57104

Sioux Falls, SD 57108-4764

Service was made by United States mail, postage prepaid, directed to the address of record to anyone who was not served electronically by the United States Bankruptcy Clerk of Courts.

MYERS & BILLION, LLP

James R. Myers, P.C. Attorneys for Defendant 300 N. Dakota Ave., Suite 510 Sioux Falls, SD 57101-1085